

AMENDED IN SENATE JANUARY 12, 2012

AMENDED IN SENATE JANUARY 4, 2012

AMENDED IN SENATE MARCH 29, 2011

## SENATE BILL

**No. 694**

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### Introduced by Senator Padilla

February 18, 2011

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An act to ~~repeal and add~~, *add*, and *repeal* Article 2 (commencing with Section 104750) of Chapter 3 of Part 3 of Division 103 of the Health and Safety Code, relating to dental care.

#### LEGISLATIVE COUNSEL'S DIGEST

SB 694, as amended, Padilla. Dental care.

Existing law requires the State Department of Public Health to maintain a dental program that includes, but is not limited to, development of comprehensive dental health plans within the framework of a specified state plan.

This bill would repeal these provisions and would provide for the creation of a Statewide Office of Oral Health within the State Department of Public Health with a licensed dentist who serves as the dental director. This bill would *provide that no General Fund moneys shall be used to implement these provisions, but would* authorize the state to accept *other* public and private funds for the purpose of implementing these provisions and would provide that these provisions become inoperative, as specified, if federal or private funds are not deposited with the state in an amount sufficient to fully support the activities of the office.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. The Legislature finds and declares all of the  
2 following:

3     (a) Nationally and statewide, tooth decay ranks as the most  
4 common chronic disease and unmet health care need of children.

5     (b) Poor dental health can disrupt normal childhood  
6 development, seriously damage overall health, and impair a child's  
7 ability to learn, concentrate, and perform well in school. In rare  
8 cases, untreated tooth decay can lead to death.

9     (c) Unmet dental needs have significant human and financial  
10 costs. In 2007, it was estimated that California schools lost nearly  
11 thirty million dollars (\$30,000,000) in attendance-based school  
12 district funding due to 874,000 missed school days related to dental  
13 ~~absences~~ *problems*; and California's hospitals experienced over  
14 83,000 emergency room visits for preventable dental problems at  
15 a cost of fifty-five million dollars (\$55,000,000).

16     (d) With full implementation of the federal Patient Protection  
17 and Affordable Care Act (Public Law 111-148), approximately  
18 1.2 million additional children in California are expected to gain  
19 dental coverage.

20     (e) The burden of oral disease can be markedly decreased  
21 through early intervention, including education, prevention, and  
22 treatment. Effective prevention reduces the need for costly  
23 treatment of advanced dental disease.

24     (f) To address this unmet need, a comprehensive coordinated  
25 strategy is necessary, at the foundation of which is a strong state  
26 oral health infrastructure to coordinate essential public dental health  
27 functions, including assessing need and capacity to address that  
28 need.

29     SEC. 2. Article 2 (commencing with Section 104750) of  
30 Chapter 3 of Part 3 of Division 103 of the Health and Safety Code  
31 is repealed.

32     SEC. 3. Article 2 (commencing with Section 104750) is added  
33 to Chapter 3 of Part 3 of Division 103 of the Health and Safety  
34 Code, to read:

Article 2. Statewide Office of Oral Health

104750. (a) There shall be a Statewide Office of Oral Health within the State Department of Public Health.

(b) Within the office there shall be a licensed dentist who serves as the dental director.

(c) The dental director and his or her staff shall have all of, but not be limited to, the following responsibilities:

(1) Advancing and protecting the oral health of all Californians.

(2) Developing a comprehensive and sustainable state oral health action plan to address the state's unmet oral health needs.

(3) Encouraging private and public collaboration to meet the oral health needs of Californians.

(4) Securing funds to support infrastructure and statewide and local programs.

(5) Promoting evidence-based approaches to increase oral health literacy.

(6) Establishing a system for surveillance and oral health reporting.

(d) The state may accept public funds and private funds for the purpose of implementing this article.

(e) (1) The office shall be established pursuant to this section only after a determination has been made by the Department of Finance that federal or private funds in an amount sufficient to fully support the activities of the office, including staffing the office, have been deposited with the state.

~~(2) If the Department of Finance makes a determination that the amount of federal or private funds deposited with the state is not sufficient to support the activities of the office, it is the intent of the Legislature that this section become inoperative.~~

*(2) No General Fund moneys shall be used to fund this section. Moneys to fund the office shall be secured from other public or private sources. If the Department of Finance makes a determination that the amount of federal or private funds deposited with the state is not sufficient to support the activities of the office, it is the intent of the Legislature that this section become inoperative.*

(f) (1) If the office is established pursuant to this section, the office shall assume ~~responsible~~ responsibility for identifying and

1 securing funding sources in order to maintain the functions of the  
2 office.

3 (2) If the office does not secure sustainable funding sources to  
4 maintain the activities of the office pursuant to paragraph (1), this  
5 section shall become inoperative on January 1, 2016.

6 104751. (a) The Legislature finds and declares that, as part of  
7 a comprehensive integrated system of dental care, with the dentist  
8 as the head of that system, additional dental providers who provide  
9 basic preventive and restorative oral health care to underserved  
10 children, located at or near where children live or go to school,  
11 may have the potential to reduce the oral health disease burden in  
12 the population most in need.

13 (b) The office ~~shall~~ *may* design and implement a scientifically  
14 rigorous study to assess the safety, quality, cost-effectiveness, and  
15 patient satisfaction of irreversible dental procedures performed by  
16 traditional and nontraditional providers for the purpose of  
17 informing future decisions about scope of practice changes in the  
18 dental workforce that include irreversible or surgical procedures.  
19 The research parameters of the study shall include public health  
20 settings, multiple models of dentist supervision, multiple pathways  
21 of education and training, and multiple dental providers, including  
22 dentists and nondentists.

23 (c) The dental director shall convene an advisory group on study  
24 design and implementation.

25 (d) The dental director shall provide input regarding study design  
26 and implementation, receive all study data and reports, and develop  
27 a report and recommendations to be submitted to the Legislature  
28 based on the study findings.

29 (e) (1) There shall be no General Fund moneys used to  
30 implement this section. Moneys to fund the study, including  
31 analysis and findings, shall be secured from other public or private  
32 sources.

33 (2) *All procedures administered by providers during the study*  
34 *shall be paid for by private or federal funds. No General Fund*  
35 *moneys shall be used to fund procedures performed as part of the*  
36 *study.*

37 (f) In the event that the study described in this section is not  
38 sufficiently funded and commenced by January 1, 2014, this section  
39 shall become inoperative on January 1, 2014.

1     104752. *This article shall become inoperative on January 1,*  
2     *2016, and as of that date is repealed, unless a later enacted statute,*  
3     *that is enacted before January 1, 2016, deletes or extends that*  
4     *date.*

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